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OFFICE OF PETITIONS

In re Application of
Alfred R. DeAngelis, et al.
Application No. 10/675,061
Filed: September 30, 2003
Attorney Docket No. 5664

ON PETITION

This is a decision on the petition under 37 CFR 1.313(c)(2), filed November 14, 2005, requesting that the above-identified application be withdrawn from issue. A Request for Continued Examination (RCE) and an Information Disclosure Statement (IDS) accompanied the present petition.

The petition is dismissed as moot.

Since the RCE was filed within the period set for paying the issue fee, as required by the Notice of Allowance and Issue Fee Due mailed October 6, 2005, prosecution is reopened in the present application and no petition under 37 CFR 1.313 is necessary.

The application is being referred to Technology Center AU 3742 for processing of the RCE under 37 CFR 1.114.

*Petitioner is reminded that the issue fee paid on August 11, 2005, in the above-identified application, cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.*¹

Telephone inquiries should be directed to the undersigned at (571) 272-3204.

Sherry D. Brinkley
Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).